

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JENNIFER LYNN MOTHERSHEAD,

Petitioner,

v.

DEBORAH J. WOFFORD,

Respondent.

CASE NO. C21-5186 MJP

ORDER FOR BRIEFING

The Court issues this Order sua sponte in light of the Supreme Court’s decision in Shinn v. Martinez Ramirez, No. 20-1009 (Slip Op. May 23, 2022). In Shinn the Court held that “under § 2254(e)(2), a federal habeas court may not conduct an evidentiary hearing or otherwise consider evidence beyond the state-court record based on ineffective assistance of state postconviction counsel.” Id. at 13. In light of this decision, the Court desires to hear from the Parties as to whether the Court may properly proceed with the evidentiary hearing and, if not, how the Court should proceed to resolve the petition. The Court sets the following briefing schedule: (1) the Parties shall each file a brief of no more than 10 pages responding to the

1 Court's Order by May 31, 2022; and (2) the Parties may each file a reply brief of no more than 5
2 pages by June 6, 2022.

3 The clerk is ordered to provide copies of this order to all counsel.

4 Dated May 23, 2022.

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6 Marsha J. Pechman
7 United States Senior District Judge
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